



**State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY
WET 2002-27**

September 19, 2003

James Butler
1451 First NH Turnpike
Northwood, NH 03261

RE DES Wetlands File #2003-01697 Rt 107, Epsom

Dear Mr. BUTLER

On August 6, 2003, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Epsom Tax Map U1 as Lot 81-1 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-700.

During the inspection the following deficiencies were documented

- 1) Approximately 500 square feet of fill had been placed in a wetland to construct a driveway
- 2) Approximately 800 square feet of fill (rip-rap) had been placed in a wetland adjacent to Northwood Lake
- 3) The area in front of the house was not vegetated, soil was exposed and eroding into Northwood Lake

In response, you are requested to take the following actions

-) By November 1, manually remove the rip-rap from the wetland area on the north side of the driveway crossing. By December 15, 2003, submit photographs to DES showing that the rip-rap has been removed.
- 2) Immediately stabilize the area in the front of the house with properly installed silt fence. Send photographs to DES by September 30, 2003, showing that silt fence has been installed.
- 3) If you wish to retain the fill associated with the driveway crossing, an application for a permit should be filed with the DES Wetlands Bureau. A standard dredge and fill application is enclosed with this Letter of Deficiency for your convenience.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Arlene Allen, Compliance Specialist
Wetlands Bureau
Department of Environmental Services
6 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact me at (603) 271-2147.

Sincerely,

COPY 

Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7002 3150 0001 5411 2101

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen Rule, Administrator, DES Legal Unit ✓
Epsom Conservation Commission
Epsom Board of Selectmen
David Killoy, USACOE